

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS,  
EASTERN DIVISION**

CORNELL BRISCO,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 2019 C 7233
	)	
CHICAGO POLICE OFFICER VINCENT	)	Honorable Judge Steven Seeger
STINAR, STAR NO. 4017; LENNY PIERRI	)	
STAR NO. 1095656; and the CITY OF	)	
CHICAGO, a Municipal Corporation,	)	
	)	
Defendants.	)	

**DEFENDANTS' AGREED MOTION TO FOR EXTENSION  
OF TIME TO COMPLETE DISCOVERY**

Defendant Officers, Vincent Stinar and Lenny Pierri, by and through one of their attorneys, Allison L. Romelfanger, Assistant Corporation Counsel Supervisor, (herein after “Defendant Officers”), and Defendant City of Chicago, by and through its attorney, Mark A. Flessner, Corporation Counsel for the City of Chicago, (hereinafter “Defendant City”) (Defendant Officers and Defendant City shall be referred herein collectively as “Defendants”), respectfully request this Honorable Court extend the time for the parties to complete fact discovery, up to and including May 31, 2021. In support of their motion, Defendants state as follows:

1. On November 1, 2019, Plaintiff filed his complaint arising out of an arrest that occurred on September 22, 2009. (ECF 1). Plaintiff was subsequently convicted on the criminal charges brought against him. (ECF 1). However, such conviction was overturned when the statute he was convicted under was ruled unconstitutional by the Illinois Supreme Court in *People v. Aguilar*, 2013 IL 112116. (ECF 1).
2. As Plaintiff’s conviction was overturned solely as a result of *Aguilar*,

Defendants moved to dismiss Plaintiff's case in its entirety. (ECF 16).

3. Plaintiff filed his response on March 8, 2020 (ECF 20), and after extensions from the COVID-19 pandemic (ECF 21, 23, 24), Defendants filed their reply on May 28, 2020 (ECF 28); (*see also* ECF 26 setting reply deadline to May 29, 2020).

4. In addition, the parties filed status reports to update this Court on the progress of the case. (ECF 10, 25). In such reports, the parties noted that they had not yet engaged in discovery pending the outcome of the Defendants' motion, but suggested a fact discovery cut-off of November 30, 2020. (ECF 25).

5. This Honorable Court adopted the parties' suggestion of a fact discovery cut-off of November 30, 2020. (ECF 26).

6. Since that time, this Court requested additional briefing on the Defendants' motion, which the parties subsequently submitted. (ECF 30, 31, 32, 36, 40, 41).

7. This Honorable Court ruled on Defendants' motion today, November 30, 2020, denying the same. (ECF 42).

8. As the parties were holding off on discovery until Defendants' motion was resolved, which would have been completely dispositive if granted, Defendants now respectfully request up to and including May 31, 2021 to complete fact discovery.

9. On November 30, 2020, Counsel for Defendant Officers, Allison L. Romelfanger, reached out to Plaintiff's Counsel regarding the relief sought in this motion, who indicated Plaintiff had no objection to the relief sought in this motion, and the motion could be filed as agreed.

10. This request is not made for dilatory purposes, and the parties will not suffer any prejudice by the requested relief.

WHEREFORE, Defendants respectfully request this Honorable Court extend the time for the parties to complete fact discovery up to and including May 31, 2021; and grant such further relief the Court finds reasonable and just.

Dated: November 30, 2020

Respectfully submitted,

**DEFENDANT OFFICERS**

By: /s/ Allison L. Romelfanger  
Allison L. Romelfanger  
Assistant Corporation Counsel Sup.

Victoria R. Benson, Deputy Corporation Counsel  
Nathan Shine, Assistant Corporation Counsel  
Jordan Yurchich, Assistant Corporation Counsel  
City of Chicago Department of Law  
Federal Civil Rights Litigation Division  
2 N. LaSalle Street, Suite 420  
Chicago, Illinois 60602  
(312) 744-5890  
Atty. No. 6310033  
Allison.romelfanger@cityofchicago.org

**DEFENDANT CITY OF CHICAGO**

By: /s/ Marques Berrington  
Assistant Corporation Counsel

Victoria R. Benson, Deputy Corporation Counsel  
City of Chicago Department of Law  
Federal Civil Rights Litigation Division  
2 N. LaSalle Street, Suite 420  
Chicago, Illinois 60602  
(312) 744-6995  
Attorney No.6320300  
Marques.berrington@cityofchicago.org

**CERTIFICATE OF SERVICE**

I, Allison L. Romelfanger, an attorney, hereby certify that on November 30, 2020, I electronically filed the foregoing **Defendants' Agreed Motion for Extension of Time to Complete Discovery**, with the Clerk of the Court for the United States District Court for the Northern District of Illinois by using the CM/ECF system, serving a copy of the same on all parties and counsel of record.

/s/ Allison L. Romelfanger

Allison L. Romelfanger

Assistant Corporation Counsel Supervisor